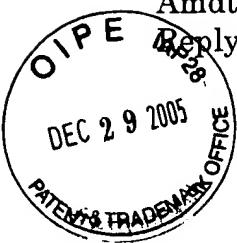


Appl. No. 09/776,379  
Amtd. Dated December 23, 2005  
Reply to Restriction Requirement of September 28, 2005

Attorney Docket No. 82347.0002  
Customer No.: 26021



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas A. Rhee

Serial No: 09/776,379

Confirmation No.: 8077

Filed: February 2, 2001

For: REAL LIFE IMPLEMENTATION OF  
MODERN PORTFOLIO THEORY  
(MPT) FOR FINANCIAL PLANNING  
AND PORTFOLIO MANAGEMENT

RESPONSE TO OFFICE ACTION

ELECTION OF SPECIES

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of September 28, 2005, the period for response to which is being extended by two months to December 28, 2005 by the accompanying petition, Applicant hereby elects Species 1, and within that species, the Subspecies 1.6, for purposes of further prosecution. Subspecies 1.6 is said to relate to generating at least one optimal scenario portfolio in accordance with said investment parameters and current market conditions and comparing expected returns of said optimal scenario portfolio with expected returns of at least one existing portfolio to provide trade recommendations. Claims 1, 7 and 8 are readable on elected Subspecies 1.6.

Art Unit: 3624

Examiner: Patel, Jagdish

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
December 23, 2005

Date of Deposit  
John P. Scherlacher, Reg. No. 23,009  
Name  
Signature  
12/23/05  
Date

Appl. No. 09/776,379  
Amdt. Dated December 23, 2005  
Reply to Restriction Requirement of September 28, 2005

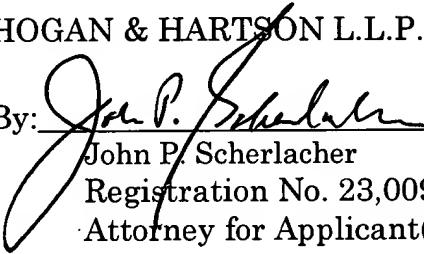
Attorney Docket No. 82347.0002  
Customer No.: 26021

However, the requirement for an election of species is respectfully traversed. Many of the sub-species are closely related inasmuch as a principal feature of the invention is the creation of optimal portfolios and occasionally rebalancing them according to the investors' required investment parameters through the Internet. The system also monitors investment portfolios for a possible rebalancing, such that all of the sub-species in Species 1 are inter-related. Moreover, and with respect to the subspecies in Species 2, these subspecies are also closely inter-related. For example, subspecies 2.1, 2.2, 2.8, 2.9, 2.13, 2.14, 2.17, 2.19, 2.23 and 2.24 are all closely related. Therefore, reconsideration and withdrawal of the election of species requirement is respectfully requested.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

Date: December 23, 2005

By:   
John P. Scherlacher  
Registration No. 23,009  
Attorney for Applicant(s)

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